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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|------------------------|---------------------|------------------|
| 10/721,449 | 11/25/2003 | Harikrishnan Bhaskaran | 30215.76 | 7120 |
| 27683 | 7590 | 09/08/2005 | EXAMINER | |
| HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202 | | | LAM, DUNG LE | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2687 | |

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|---|--|
| Office Action Summary | Application No. 10/721,449 | Applicant(s) BHASKARAN, HARIKRISHNAN | |
| | Examiner Dung Lam | Art Unit 2687 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-5, 9-17 and 20-22** are rejected under 35 U.S.C. 103(a) as being unpatentable over ***applicant's admissions on page 1-2*** (Simply referred to as "APA", admitted prior art).

Regarding **claim 1**, paragraph 3 of APA teaches a method of communicating data stored on a first communication device (mail server) to a second communication device (portable device) comprising:

receiving data (email) by the first communication device (server);

generating, by the first communication device (server, para. 04), first dictionary from the received data, the first dictionary being provided to the second communication device (portable device, para. 04);

Although, APA does not explicitly teach a second dictionary being sent to the second device via a first channel which has a lower cost, APA teaches a known-in-the-art technology implemented by Microsoft and 3COM (para. 17) known as synching or synchronizing wherein a conventional communication system may periodically updating the stored data of the mobile device (para.

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04). APA further teaches that a portable device may typically be connected to the server via wireless link or fixed wired link in which the wired link is a less expensive method (para. 2). Therefore, it would have been obvious for one of ordinary skill in the art to select a less expensive path of communication via wired link to send the second dictionary to synchronize a more up-to-date dictionary to the portable device.

3. Regarding claims 2 and 3, APA teaches all the limitations of claim 1. APA further teaches the first channel is a wire line channel and the second channel is a wireless channel (para. 2).

4. Regarding claims 4, APA teaches all the limitations of claim 1. APA further teaches that in conventional compression techniques, the data is compressed along with the dictionary and sent to the receiving side to allow the receiving side to decode the compressed data. Therefore, APA teaches the compressing of the data with the second dictionary to generate the compressed data which is sent together with the second dictionary to the second communication device (para. 12). Although, APA does not explicitly teach that the sending of the compressed data occurs when the second communication device is connected to the first communication device by the first channel, it is obvious to one of ordinary skill in art that the data transmission should take place only when there is a connection with a channel since it is a waste of time to send data out when there is no connection.

5. Regarding claims 4, APA teaches all the limitations of claim 1. APA further teaches that in conventional compression techniques, the data is compressed along with the dictionary and sent to the receiving side to allow the receiving side to decode the compressed data. Therefore, APA teaches the compressing of the data with the first dictionary to generate the compressed data which is sent together with the first dictionary to the second communication device (para. 12). Although, APA does not explicitly teach that the sending of the compressed data occurs when the second communication device is connected to the second communication device by the first channel, it is obvious to one of ordinary skill in art that the data transmission should take place only when there is a connection with a channel since it is a waste of time to send data out when there is no connection.

6. Regarding claims 9, APA teaches all the limitations of claim 1. APA further teaches that the first communication device is a server (mail server, para. 2).

7. Regarding claims 10-11, APA teaches all the limitations of claim 1. APA further teaches that the second communication device is a client which is a portable communication device (para. 2).

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8. Regarding claim 12, APA teaches all the limitations of claim 1. APA further teaches that the maintaining first for each of a plurality of second communication devices (para. 3). APA further suggests a motivation for maintaining second dictionaries at the portable device due to synchronization purpose as addressed in claim 1 above.

9. Regarding claims 13-17, 20-22, they are apparatus claims corresponding to the method claims 1-5 and 9-11 respectively. Therefore, they are rejected for the same reasons as claim 1-5 and 9-11 respectively.

10. Claims 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over ***applicant's admissions on page 1-2*** (Simply referred to as "APA", admitted prior art) in view of **Storer** (US Patent No. 4,876,541).

11. Regarding claims 7, APA teaches all the limitations of claim 1. However, APA fails to teach determining if the quality of the first dictionary is better than the quality of second dictionary. In analogous art, Storer teaches a comparison of the compression rates or quality among dictionaries (Col. 23 and lines 1-8). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to compare the compression rates of the dictionary to pick the best quality dictionary and thus enable a faster transmission of the data to the second communication device.

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Allowable Subject Matter

12. Claims 6, 8, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Lam whose telephone number is (571) 272-6497. The examiner can normally be reached on M - F 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL

9/6/2005


9/26/05
LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER